

Claim Amendments

Please amend the claims as follows. The following is a complete listing of the claims that replaces all previous versions:

1. (Canceled)
2. (Previously Presented) The method of claim 25, wherein the first business entity is a special purpose vehicle owned by the party.
3. (Previously Presented) The method of claim 25, wherein the fixed price that the party is obligated to pay the purchaser pursuant to the swap agreement equals the price at which the purchaser is obligated to pay the first business entity pursuant to the purchase agreement.
- 4-6. (Canceled)
7. (Previously Presented) The method of claim 25, wherein the second business entity is a parent of the party.
8. (Canceled)
9. (Previously Presented) The method of claim 25, wherein the purchase agreement between the purchaser and the first business entity permits the purchaser to terminate the purchase agreement when the default of the party under the swap agreement exceeds a threshold amount specified in the contingent supply agreement.
10. (Previously Presented) The method of claim 25, wherein the second business entity is unrelated to the party.
- 11-14. (Canceled)

15. (Currently Amended) A method, comprising:

paying, by a first business entity, via an electronic fund transfer computer system, a pre-payment to a company pursuant to a forward contract between the company and the first business entity, wherein the forward purchase contract ~~that~~ obligates the company to deliver volumes of a commodity to the first business entity, where the pre-payment by the first business entity is paid with proceeds from an offering of debt securities by the first business entity to investors, where the electronic fund transfer computer system comprises a plurality of networked computers, wherein at least one of the networked computers comprises a read only memory and a random access memory;

paying, by a purchaser, a first payment via the electronic fund transfer computer system to the first business entity pursuant to a purchase agreement between the first business entity and the purchaser, where the purchaser is separate from the company, ~~that~~ and wherein the purchase agreement obligates the purchaser to purchase the volumes of the commodity from the first business entity;

paying, by the purchaser, a floating-price payment via the electronic fund transfer computer system to the company pursuant to a swap agreement between the purchaser and the company that obligates the purchaser to pay the company a floating-price payment that is an amount equal to the price at which the purchaser sells the volumes of the commodity in the open market and obligates the company to pay the purchaser a fixed price; and

paying, by the first business entity, a second payment via the electronic fund transfer computer system to a second business entity pursuant to a contingent supply agreement between the first business entity and the second business entity that obligates the second business entity to supply volumes of the commodity to the first business entity when the company fails to deliver the necessary volumes of the commodity required by the forward contract, wherein the contingent supply agreement comprises a cross-default provision that specifies that a default on the swap agreement by the company results in default of the contingent supply agreement by the second business entity, which default by the second business entity requires the first business entity to terminate the contingent supply agreement, and where the purchase agreement between the purchaser and the first business entity comprises provisions that permit ~~permits~~ the purchaser to terminate the purchase agreement when the ~~company defaults on the swap agreement~~ first business entity terminates the contingent supply agreement.

16. (Original) The method of claim 15, wherein the first business entity is a special purpose vehicle owned by the company.

17. (Original) The method of claim 15, wherein the fixed price that the party is obligated to pay the purchaser pursuant to the swap agreement equals the price at which the purchaser is obligated to pay the first business entity pursuant to the purchase agreement.

18-20. (Canceled)

21. (Previously Presented) The method of claim 15, wherein the second business entity is a parent of the company.

22. (Canceled)

23. (Previously Presented) The method of claim 15, wherein the purchase agreement between the purchaser and the first business entity permits the purchaser to terminate the purchase agreement when the default of the company under the swap agreement exceeds a threshold amount specified in the contingent supply agreement.

24. (Previously Presented) The method of claim 15, wherein the second business entity is unrelated to the company.

25. (Currently Amended) A method comprising:
paying, by a purchaser, a payment via an electronic fund transfer computer system to a first business entity pursuant to a purchase agreement between the purchaser and the first business entity that obligates the purchaser to purchase volumes of a commodity from the first business entity, where a party, separate from the first business entity, is obligated to deliver volumes of the commodity to the first business entity pursuant to a forward contract between the first business entity and the party in exchange for a pre-payment from the first business entity that is paid with proceeds from an offering of debt securities to investors by the first business entity, where the electronic fund transfer computer system comprises a plurality of networked

computers, wherein at least one of the networked computers comprises a read only memory and a random access memory; and

paying, by the purchaser, to the party a floating-price payment via the electronic fund transfer computer system pursuant to a swap agreement ~~with~~ between the purchaser and the party that obligates the purchaser to pay the party a floating-price payment that is an amount equal to the price at which the purchaser sells the volumes of the commodity in the open market and obligates the party to pay the purchaser a fixed price,

where a second business entity is obligated to supply volumes of the commodity to the first business entity pursuant to a contingent supply agreement between the second business entity and the first business entity upon failure of ~~if~~ the party ~~fails~~ to deliver the necessary volumes of the commodity required by the forward contract, wherein the contingent supply agreement comprises a cross-default provision that specifies that a default on the swap agreement by the party results in default of the contingent supply agreement by the second business entity, which default by the second business entity requires the first business entity to terminate the contingent supply agreement, and wherein the purchase agreement between the purchaser and the first business entity comprises provisions that permit ~~permits~~ the purchaser to terminate the purchase agreement when the ~~party defaults on the swap~~ first business entity terminates the contingent supply agreement.

26. (Previously Presented) The method of claim 25, wherein payments made by the purchaser to the first business entity pursuant to the purchase agreement are deposited in a collections account.

27. (Previously Presented) The method of claim 26, wherein payments made by the first business entity to the investors for principal and interest amounts on the debt securities are funded by the collections account.

28. (Previously Presented) The method of claim 26, wherein the collections account is maintained by a trust.

29. (Currently Amended) A method comprising:

paying, by a purchaser, a payment via an electronic fund transfer computer system to a first business entity pursuant to a purchase agreement between the purchaser and the first business entity that obligates the purchaser to purchase volumes of a commodity from the first business entity, where a company, separate from the first business entity, is obligated to deliver volumes of the commodity to the first business entity pursuant to a forward contract between the company and the first business entity in exchange for a pre-payment from the first business entity that is paid with proceeds from an offering of debt securities by the first business entity to investors, where the electronic fund transfer computer system comprises a plurality of networked computers, wherein at least one of the networked computers comprises a read only memory and a random access memory; and

paying, by the purchaser, to a third party a floating-price payment via the electronic fund transfer computer system pursuant to a swap agreement ~~with~~ between the purchaser and the third party, that obligates the purchaser to pay the third party a floating-price payment that is an amount equal to the price at which the purchaser sells the volumes of the commodity in the open market and obligates the third party to pay the purchaser a fixed price,

where a second business entity is obligated to supply volumes of the commodity to the first business entity pursuant to a contingent supply agreement between the first business entity and the second business entity upon failure of ~~if~~ the company ~~fails~~ to deliver the necessary volumes of the commodity required by the forward contract, wherein the contingent supply agreement comprises a cross-default provision that specifies that a default on the swap agreement by the third party results in default of the contingent supply agreement by the second business entity, which default by the second business entity requires the first business entity to terminate the contingent supply agreement, and wherein the purchase agreement between the purchaser and the first business entity ~~permits~~ comprises provisions that permit the purchaser to terminate the purchase agreement when the ~~party defaults on~~ first business entity terminates the swap contingent supply agreement.

30. (Previously Presented) The method of claim 29, wherein the fixed price that the third party is obligated to pay the purchaser pursuant to the swap agreement equals the price at which the purchaser is obligated to pay the first business entity pursuant to the purchase agreement.

31. (Previously Presented) The method of claim 29, wherein the purchase agreement between the purchaser and the first business entity permits the purchaser to terminate the purchase agreement when the default of the third party under the swap agreement exceeds a threshold amount specified in the contingent supply agreement.

32. (Currently Amended) A method comprising:
receiving a payment, by a first business entity from a purchaser via an electronic fund transfer computer system, pursuant to a purchase agreement between the first business entity and the purchaser that obligates the purchaser to purchase volumes of a commodity from the first business entity, where the electronic fund transfer computer system comprises a plurality of networked computers, wherein at least one of the networked computers comprises a read only memory and a random access memory;

paying a pre-payment, by the first business entity to a party via the electronic fund transfer computer system, pursuant to a forward contract between the party and the first business entity that obligates the party to deliver volumes of the commodity to the first business entity, where the pre-payment by the first business entity is paid with proceeds from an offering of debt securities by the first business entity to investors; and

paying a second payment, by the first business entity to a second business entity via the electronic fund transfer computer system, pursuant to a contingent supply agreement between the first business entity and the second business entity that obligates the second business entity to supply volumes of the commodity to the first business entity when the party fails to deliver the necessary volumes of the commodity required by the forward contract,

where the purchaser is obligated to make a floating-price payment to a third party pursuant to a swap agreement ~~with~~ between the purchaser and the third party, that obligates the purchaser to pay the third party a floating-price payment that is an amount equal to the price at which the purchaser sells the volumes of the commodity in the open market and obligates the third party to pay the purchaser a fixed price, wherein the contingent supply agreement comprises a cross-default provision that specifies that a default on the swap agreement by the third party results in default of the contingent supply agreement by the second business entity, which default by the second business entity requires the first business entity to terminate the contingent supply agreement, and where the purchase agreement between the purchaser and the

first business entity comprises provisions that permit ~~permits~~ the purchaser to terminate the purchase agreement when the ~~third party defaults on~~ first business entity terminates the ~~swap~~ contingent supply agreement.

33. (Previously Presented) The method of claim 32, wherein the third party is the party that entered into the forward contract with the first business entity.